WPMS No. 455 of 2003

Hon'ble M. M. Ghildiyal J.

Sri Dhulia Advocate has accepted notices on behalf of respondent No. 1 Sri Alok Singh Advocate has put in appearance for respondent No. 3.

The petitioner has challenged the order-dated 24.05.2003 passed by Addl. District Judge/FTC, Dehradun; in Misc. Appeal No. 95 of 2001 reverting the order of the Trial Court granting injunction in favour of plaintiff on 31st May, 2001. The petitioner has prayed for setting aside the impugned order dated 24.05.2003. The petitioner & respondent No. 3 have agreed that the petition be decided at the admission stage and the Trial Court be directed to decide the suit itself, expeditiously and till then the parties shall not create any interest in favour of third party.

The prayer is innocuous. The Trial Court is directed to decide the suit, expeditiously preferably within a period o six month.

In the meantime the petitioner and respondent No. 3 shall not create any third party interest and conversion of free hold in favour of any of the party, shall be subject to the decision of the suit.

With these directions, the writ petition is disposed of finally.

(M.M. Ghildiyal J.)

02.06.2003:
NCM: